

James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
M. Magali Mercera, Esq., Bar No. 11742
MMM@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: 702.214.2100

*Attorneys for Paris Las Vegas
Operating Company, LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TPOV ENTERPRISES 16, LLC, a Delaware
Limited Liability Company,

Plaintiff,

vs.

PARIS LAS VEGAS OPERATING
COMPANY, LLC, a Nevada limited liability
company,

Defendant.

PARIS LAS VEGAS OPERATING
COMPANY, LLC, a Nevada limited liability
company,

Counterclaimant.

vs.

TPOV ENTERPRISES, LLC, a Delaware
Limited Liability Company, TPOV
ENTERPRISES 16, LLC, a Delaware Limited
Liability Company, Rowen Siebel, an
individual.

Counter-defendants.

CASE NO. 2:17-cv-00346-JCM-VCF

**STIPULATION AND ORDER TO EXTEND
BRIEFING SCHEDULE REGARDING
MOTION TO STAY**

(FIRST REQUEST)

Pursuant to LR IA 6-1, Plaintiff/Counterdefendant TPOV Enterprises 16, LLC ("TPOV 16");
Counterdefendant TPOV Enterprises, LLC ("TPOV"); Counterdefendant Rowen Seibel ("Seibel")
(collectively, "Seibel and the TPOV Entities"); and Defendant/Counterclaimant Paris Las Vegas

Operating Company, LLC ("Paris") (collectively, the "Parties"), by and through their undersigned counsel of record, stipulate and agree as follows:

1. On May 25, 2021, the Parties stipulated to set a briefing schedule for a forthcoming motion to stay. (ECF No. 297.)

2. On May 28, 2020¹, this Court entered an Order granting the Parties' Stipulation. (ECF No. 298.)

3. Good cause exists to extend the briefing schedule for the motion to stay. In the case *Seibel v. PHWLIV, LLC*, Case No. A-17-751759-B (the "State Court Matter"), currently pending before the Eighth Judicial District Court of the State of Nevada, County of Clark ("State Court"), the State Court granted Paris and its affiliates' Motion to Compel Documents Withheld on the Basis of the Attorney-Client Privilege Pursuant to the Crime-Fraud Exception. The State Court ordered Paris and its affiliates to prepare the Findings of Fact, Conclusions of Law and Order. Despite meet and confer efforts, the Parties have been unable to agree on a joint order and are submitting competing findings of fact, conclusions of law, and orders to the State Court.

4. Pursuant to an agreement between the Parties, discovery propounded in the State Court Matter can be used in this matter and discovery propounded in this matter can be used in the State Court Matter. Plaintiff/Counterdefendants have indicated they intend to seek review (through a writ petition to the Nevada Supreme Court) of the State Court's ruling and a stay of enforcement of the order, once entered in the State Court Matter, pending the outcome of their writ. Without waiver of any arguments or rights by the Parties, the Parties have discussed whether this matter should be stayed until either Plaintiff/Counterdefendants produce the documents ordered compelled by the State Court or until resolution of their anticipated writ.

5. While the Parties have not reached an agreement as to any potential stay, they have agreed to present the issue to this Court for resolution on a forthcoming motion to stay to be filed by Paris.

6. Previously the Parties agreed that Paris would have up to and including June 4, 2021 to file a motion for stay. The Parties have agreed to extend the briefing schedule for the forthcoming

1 motion to stay one week to allow time for the State Court to enter its Findings of Fact, Conclusions
2 of Law and Order following the Parties' submission of competing orders.

3 7. Accordingly, the Parties have agreed as follows:

4 a. Paris shall file a motion to stay by or before June 11, 2021.

5 b. Plaintiff/Counterdefendants shall file their response to the forthcoming motion to
6 stay by or before June 25, 2021.

7 c. Paris shall file its reply by or before July 2, 2021.

8 8. This Stipulation and Order to extend the deadline to file the motion to stay is made
9 in good faith, with good cause, and not for purposes of unduly delaying trial.

10 DATED this 4th day of June 2021.

DATED this 4th day of June 2021.

11 PISANELLI BICE PLLC

BAILEY KENNEDY

12 By: /s/ M. Magali Mercera
13 James J. Pisanelli, Esq., Bar No. 4027
14 Debra L. Spinelli, Esq., Bar No. 9695
15 M. Magali Mercera, Esq., Bar No. 11742
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

By: /s/ Paul C. Williams
John R. Bailey, Esq., Bar No. 0137
Dennis L. Kennedy, Esq., Bar No. 1462
Joshua P. Gilmore, Esq., Bar No. 11576
Paul C. Williams, Esq., Bar No. 12524
Stephanie J. Glantz, Esq., Bar No. 14878
8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302

16 *Attorneys for Paris Las Vegas Operating
Company, LLC*

*Attorneys for TPOV Enterprises 16, LLC,
TPOV Enterprises, LLC and Rowen Seibel*

20 **ORDER**

21 IT IS SO ORDERED.

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UNITED STATES DISTRICT JUDGE

23 DATED: June 7, 2021
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